



ATTORNEY DOCKET NO.: EMC04-49(01195)

e187  
JW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Mike Kowalchik and John Cardente  
Serial No.: 10/001,317  
Title: DISK CACHE INTERFACING SYSTEM AND METHOD  
Filing Date: October 23, 2001  
Examiner: Chace, Christian  
Art Unit: 2187  
Conf. No.: 2338  
Former Attorney Docket Number: EMR-00401  
New Attorney Docket Number: EMC04-49(01195)

**Certificate of Mailing Under 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: November 18, 2004

By: Mary A. Maietta

(Typed or printed name of person mailing  
Document, whose signature appears below)

Signature: Mary A. Maietta

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Enclosed is/are:

- [x] Transmittal Letter (this form, 2 pages, in duplicate), Total Pages: 4;
- [x] Power of Attorney to Prosecute Applications Before the USPTO, Total Pages: 1;
- [x] Statement Under 37 CFR 3.73(b), Total Pages: 1;
- [x] A copy of the Assignment Recordation, Total Pages: 5;
- [x] Change of Correspondence Address *Application*, Total Pages: 1;
- [x] Assignment of a New Docket Number;
- [x] Return Receipt Pre-paid Postcard (in duplicate), Total postcards: 2;
- [x] Authorization to charge Deposit Account No. 50-0901, if necessary.

U.S. Application No.: 10/001,317      New Attorney Docket Number: EMC04-49(01195)

- 2 -

Please update all Patent Office records to reflect that the new Attorney Docket Number for this application is: EMC04-49(01195).

Applicant hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this submission, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

If the enclosed papers or fees are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

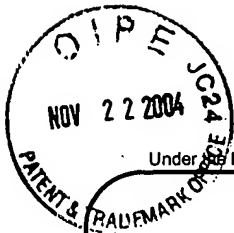
Respectfully submitted,



David E. Huang, Esq.  
Attorney for Applicant  
USPTO Registration No.: 39,229  
CHAPIN & HUANG, L.L.C.  
Westborough Office Park  
1700 West Park Drive  
Westborough, Massachusetts 01581  
Telephone: (508) 366-9600  
Facsimile: (508) 616-9805

New Attorney Docket Number: EMC04-49(01195)

Dated: November 18, 2004



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## CHANGE OF CORRESPONDENCE ADDRESS *Application*

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/001,317
Filing Date	October 23, 2001
First Named Inventor	Michael Kowalchik
Art Unit	2187
Examiner Name	Chace, Christian
Attorney Docket Number	EMC04-49(01195)

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with  
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☐ Firm or  
Individual Name

Address

City

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Fax

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

☐ Applicant/Inventor

☐ Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ Attorney or agent of record. Registration Number 39,229

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Signature

Typed or Printed  
Name David E. Huang, Esq.

Date November 18, 2004

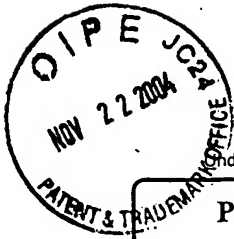
Telephone 508-366-9600

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:



Practitioners associated with the Customer Number:

047653

OR



Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

EMC Corporation  
176 South Street  
Hopkinton, Massachusetts 01748

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

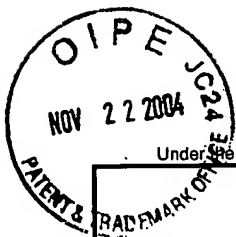
**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature	<i>Krish Gupta</i>	Date	11/11/2004
Name	KRISH GUPTA	Telephone	978 266 1791
Title	DIRECTOR, SENIOR COUNSEL		

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Michael Kowalchik and John Cardente

Application No./Patent No.: 10/001,317 Filed/Issue Date: October 23, 2001

Entitled: Disk Cache Interfacing System And Method

EMC Corporation, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012351, Frame 0922, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

David E. Huang  
Signature

November 18, 2004  
Date

David E. Huang, Esq.  
Printed or Typed Name

508-366-9600  
Telephone Number

Attorney for Applicant  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CND  
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JANUARY 31, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

FOLEY, HOAG AND ELIOT, LLP  
ROBERT A. GREENBERG  
ONE POST OFFICE SQUARE  
BOSTON, MA 02109



\*101913187A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/23/2001

REEL/FRAME: 012351/0922  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
CARDENTE, JOHN

DOC DATE: 10/18/2001

ASSIGNOR:  
KOWALCHIK, MICHAEL

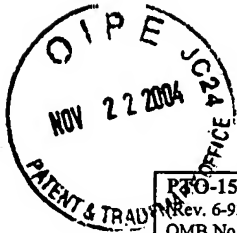
DOC DATE: 10/18/2001

ASSIGNEE:  
EMC CORPORATION  
35 PARKWOOD DRIVE  
HOPKINTON, MASSACHUSETTS 01748

SERIAL NUMBER: 10001317  
PATENT NUMBER:

FILING DATE: 10/23/2001  
ISSUE DATE:

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



12-12-2001



101913187

PTO-1595 (Rev. 6-93) OMB No. 0651-0011 (exp. 4/94)		10/23/01		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies):  John Cardente Michael Kowalchik  Additional name(s) of conveying party(ies) attached? ( ) Yes ( ) No		2. Name and address of receiving party(ies)  Name: EMC Corporation			
3. Nature of conveyance  (x) Assignment ( ) Merger ( ) Security Agreement ( ) Change of Name ( ) Other _____  Execution Date: <u>October 18, 2001</u>		Internal Address: _____  Street Address: <u>35 Parkwood Drive</u>  City: <u>Hopkinton</u> State: <u>MA</u> ZIP: <u>01748</u>  Additional name(s) & address(es) attached? ( ) Yes ( ) No			
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the filing date of the application is: <u>October 23, 2001</u>					
A. Patent Application No.(s)		B. Patent No.(s)			
<u>10001317</u>					
Additional numbers attached? ( ) Yes ( ) No					
5. Name and address of party to whom correspondence concerning document should be mailed:		6. Total number of applications and patents involved: 1			
Name: <u>Robert A. Greenberg</u> Telephone: <u>(617) 832-1000</u>  Internal Address: <u>Foley, Hoag and Eliot, LLP</u>  Street Address: <u>One Post Office Square</u>  City: <u>Boston</u> State: <u>MA</u> ZIP: <u>02109</u>		7. Total fee (37 CFR 3.41).....\$40.00 (x) Enclosed ( ) Authorized to be charged to deposit account			
		8. Deposit account number: <u>06-1448</u>  Attach duplicate copy of this page if paying by deposit account			
DO NOT USE THIS SPACE					
9. Statement and signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>					
<u>Robert A. Greenberg</u> Name of Person Signing		<u>Rta. A.</u> Signature		<u>10/23/01</u> Date	
Total number of pages including cover sheet, attachments, and document:					

jc760 U.S. PTO  
10/001317  
10/23/01

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents and Trademarks, Box Assignments  
Washington, D.C. 20231

12/11/2001 DBYRNE 00000139 10001317  
01 FC:581 40.00 OP

## ASSIGNMENT

WHEREAS, We, John Cardente and Michael Kowalchik have invented an invention comprising and/or embodying certain improvements or discoveries or both as described in an application for Letters Patent of the United States entitled *DISK CACHE*, the specification of which:

☒ is being executed on even date herewith and is about to be filed in the United States Patent Office;

☐ was filed on \_\_\_\_\_ as U.S. Application No. \_\_\_\_\_;

☐ was patented under U.S. Patent No. \_\_\_\_\_ on \_\_\_\_\_.

WHEREAS, EMC Corporation (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 35 Parkwood Drive, Hopkinton, Massachusetts 01748 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey to ASSIGNEE all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the



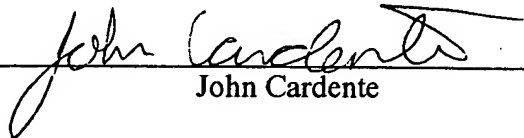
-2-

giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals as set forth below:

Date: 10/17/01

  
John Cardente

Print full name of inventor:

John Cardente

Residence:

58 Whitewood Rd.; Milford, MA 01757

Citizenship:

USA

Mailing Address:

58 Whitewood Rd.; Milford, MA 01757

STATE/Commonwealth of \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Then personally appeared before me the above-named John Cardente and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

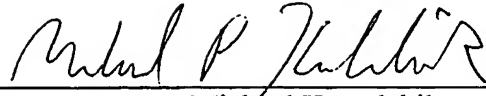
\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_ / \_\_\_\_ / \_\_\_\_

-3-

Date: 16 / 18 / 2001



Michael Kowalchik

Print full name of inventor:

Michael Kowalchik

Residence:

3 Harvard St.; Arlington, MA 02476

Citizenship:

USA

Mailing Address:

3 Harvard St.; Arlington, MA 02476

STATE/COMMONWEALTH OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Then personally appeared before me the above-named Michael Kowalchik and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My Commission expires \_\_\_\_ / \_\_\_\_ / \_\_\_\_